

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
ANNA S. McLEAN, Cal. Bar No. 142233
3 amclean@sheppardmullin.com
LIÊN H. PAYNE, Cal. Bar No. 291569
4 lpayne@sheppardmullin.com
Four Embarcadero Center, 17th Floor
5 San Francisco, California 94111-4109
Telephone: 415.434.9100
6 Facsimile: 415.434.3947

7 Attorneys for Defendant
CENTERONE FINANCIAL SERVICES, LLC.

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 MARK R. JONES, individually and on behalf
of all others similarly situated,

13
14 Plaintiff,

15 v.

16
17 CENTERONE FINANCIAL SERVICES,
LLC, a corporation; and DOES 1-50,
18 inclusive,

19 Defendant.

Case No. 4:14-cv-01673 SI

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

[Civil Local Rules 6-2 and 7-12]

[Complaint filed: March 3, 2014]

1 Pursuant to the following stipulation, the parties have agreed to, and request that
2 the Court grant, a continuance of the August 1, 2014 Initial Case Management Conference
3 ("CMC") in this action to **September 5, 2014 at 2:30 p.m.**, and that all related deadlines be
4 continued accordingly.

5 **STIPULATION**

6 Pursuant to Civil Local Rules 6-2 and 7-12, defendant CenterOne Financial
7 Services, LLC ("CenterOne") and plaintiff Mark R. Jones ("Jones") stipulate and request as
8 follows:

9 WHEREAS, on April 17, 2014, CenterOne filed a Motion to Dismiss (Docket No.
10 7);

11 WHEREAS, on April 21, 2014, following reassignment of this action to the
12 Honorable Susan Illston (Docket No. 9), this Court issued a Clerk's Notice re-setting the Initial
13 CMC for August 1, 2014 at 2:30 p.m. (Docket No. 11);

14 WHEREAS, the parties are currently scheduled to meet and confer by July 11,
15 2014 pursuant to FRCP 26(f)(1), (d)(1); file a joint case management statement by July 25, 2014
16 per Judge Illston's Standing Order (Docket No. 12); and serve initial disclosures by July 25, 2014
17 pursuant to FRCP 26(a)(1)(C);

18 WHEREAS, on May 9, 2014, plaintiff filed a motion to remand, setting the hearing
19 for June 27, 2014 at 9:00 a.m. (Docket No. 15) and this Court issued a Clerk's Notice on May 14,
20 2014 continuing the hearing on CenterOne's Motion to Dismiss to June 27, 2014 at 9:00 a.m.
21 (Docket No. 16);

22 WHEREAS, on June 18, 2014, this Court issued a Clerk's Notice continuing the
23 Motion to Dismiss hearing to August 1, 2014 at 9:00 a.m. (Docket No. 21);

24 WHEREAS, pursuant to Civil L.R. 6-2(a)(1), the parties have conferred and agree
25 that continuing the CMC and related deadlines until after this Court has ruled on on CenterOne's
26 Motion to Dismiss and Plaintiff's Motion to Remand would be in the parties' best interests and in
27 the interest of judicial economy;

28

1 WHEREAS, with respect to Civil L.R. 6-2(a)(2), the previous time modifications in
 2 this action include: a) the re-setting of the Initial CMC by the Clerk from July 30, 2014 to August
 3 1, 2014 (Docket Nos. 4 and 11); b) the Clerk's Notice of May 14, 2014 continuing the hearing for
 4 CenterOne's Motion to Dismiss to June 27, 2014 at 9:00 a.m. (Docket No. 16); and c) the Clerk's
 5 Notice of June 18, 2014 continuing the hearing on CenterOne's Motion to Dismiss to August 1,
 6 2014 at 9:00 a.m. (Docket No. 21);

7 WHEREAS, with respect to Civil L.R. 6-2(a)(3), a five-week continuance of the
 8 Initial CMC and related deadlines hearings will not, at this early stage, have a significant effect on
 9 the overall schedule for this case, and merely re-establishes the timing that existed when the
 10 Motion to Dismiss and Motion to Remand were both set for June 27, 2014;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the
 12 Court continue the current August 1, 2014 Initial CMC (Docket No. 11) to **September 5, 2014 at**
 13 **2:30 p.m.** and adjust all related deadlines accordingly.

14 **E-FILING ATTESTATION**

15 By her signature below, counsel for CenterOne attests that counsel for all parties
 16 whose electronic signatures appear below have concurred in the filing of this Stipulation.

17
 18 Dated: June 25, 2014

SHEPPARD, MULLIN, RICHTER & HAMPTON
 LLP

19
 20 By: /s/ ANNA S. McLEAN

ANNA S. McLEAN

LIÊN H. PAYNE

Four Embarcadero Center, 17th Floor
 San Francisco, CA 94111-4106

Telephone: 415-434-9100

Facsimile: 415-434-3947

amclean@sheppardmullin.com

lpayne@sheppardmullin.com

Attorneys for Defendant

CENTERONE FINANCIAL SERVICES, LLC

1 Dated: June 25, 2014

KEMNITZER, BARRON & KRIEG, LLP

2 By: /s/ BRYAN KEMNITZER

3 BRYAN KEMNITZER

4 Telephone: 415-632-1900

5 Facsimile: 415-632-1901

6 Attorneys for Plaintiff

7 MARK R. JONES

8 **ORDER**

9
10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11
12 Dated: 6/26/14



13 The Honorable Susan Illston
14 United States District Court Judge
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